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2	Attorney General of California DIANN SOKOLOFF					
3	Supervising Deputy Attorney General GREGORY TUSS					
4	Deputy Attorney General State Bar No. 200659					
5	1515 Clay Street, 20th Floor Post Office Box 70550					
6	Oakland, California 94612-0550 Telephone: (510) 622-2143					
7	Facsimile: (510) 622-2270 Attorneys for Complainant					
8	BEFORE THE					
9	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS					
10	STATE OF C	CALIFORNIA				
11	In the Matter of the Accusation Against:	Case Number 2013-768				
12	JESSICA BOSARGE	ACCUSATION				
13	a.k.a. JESSICA SUTTON BOSARGE a.k.a. JESSICA EDWINA BOSARGE					
14	961 Wesley Avenue Mobile, Alabama 36609	1				
15	Registered Nurse License Number 597421					
16	Respondent					
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18						
19	Complainant Louise R. Bailey, M.Ed., R.N	I., alleges:				
20	PAR	TIES				
21	1. Complainant brings this Accusation	solely in her official capacity as the Executive				
22	Officer of the Board of Registered Nursing (Boa	rd), Department of Consumer Affairs.				
23	2. On or about April 4, 2002, the Board	l issued Registered Nurse License Number				
24	597421 to respondent Jessica Bosarge, a.k.a. Jes	sica Sutton Bosarge, a.k.a. Jessica Edwina				
25	Bosarge. This registered nurse license expired o	n April 30, 2004, and has not been renewed.				
26	<i>III</i>	•				
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OTHER LICENSE HISTORY

3. On or about June 28, 1996, the Alabama Board of Nursing (Alabama Board) issued Registered Nurse License Number 1-079545 to respondent. Respondent's Alabama Registered Nurse License Number 1-079545 expired on December 31, 2010, and has not been renewed.

JURISDICTION

- 4. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
 - 5. Section 118, subdivision (b), provides:

"The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground."

6. Section 2750 provides:

"Every certificate holder or licensee, including licensees holding temporary licenses, or licensees holding licenses placed in an inactive status, may be disciplined as provided in this article [Article 3 of the Nursing Practice Act (Bus. & Prof Code, § 2700 et seq.)]. As used in this article, 'license' includes certificate, registration, or any other authorization to engage in practice regulated by this chapter. The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein."

7. Section 2759 provides:

"The board shall discipline the holder of any license, whose default has been entered or who has been heard by the board and found guilty, by any of the following methods:

- "(a) Suspending judgment.
- "(b) Placing him upon probation.

''(c`) Suspending	g his right to	practice n	ursing for a	period not	exceeding	one v	vear

- "(d) Revoking his license.
- "(e) Taking such other action in relation to disciplining him as the board in its discretion may deem proper."
 - 8. Section 2764 provides:

"The lapsing or suspension of a license by operation of law or by order or decision of the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive the board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such license, or to render a decision suspending or revoking such license."

STATUTORY AUTHORITY

9. Section 2761 provides, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- "(a) Unprofessional conduct, which includes, but is not limited to, the following:
- "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

COST RECOVERY

- 10. Section 125.3 provides, in pertinent part:
- "(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department or before the Osteopathic Medical Board, upon request of the entity bringing the proceedings, the administrative law judge may direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1	"(i) Nothing in this section shall preclude a board from including the recovery of the costs			
2	of investigation and enforcement of a case in any stipulated settlement."			
3	CAUSES FOR DISCIPLINE			
4 5	FIRST CAUSE FOR DISCIPLINE Bus. & Prof. Code, § 2761, subd. (a)(4) Unprofessional Conduct – Out of State Discipline			
6	11. Respondent has subjected her registered nurse license to disciplinary action under			
7	section 2761, subdivision (a)(4), for unprofessional conduct. On or about September 7, 2010, in			
8	disciplinary action before the Alabama Board, Case Number 540993, the Alabama Board issued			
9	an Order Accepting the Voluntary Surrender for Revocation of respondent's Alabama Registered			
10	Nurse License Number 1-079545. The basis for this Order was that respondent diverted a			
11	controlled substance.			
12 13	SECOND CAUSE FOR DISCIPLINE Bus. & Prof. Code, §2761, subd. (a) General Unprofessional Conduct			
14	12. Complainant realleges the allegations set forth in paragraph 11 and incorporates them			
15	by reference as if fully set forth.			
16	13. The conduct alleged in paragraph 11 above constitutes general unprofessional			
17	conduct and provides grounds for discipline under the non-inclusive provisions of section 2761,			
18	subdivision (a).			
19	<u>PRAYER</u>			
20	WHEREFORE, complainant requests that a hearing be held on the matters alleged in this			
21	Accusation, and that following the hearing the Board issue a decision:			
22	1. Revoking or suspending Registered Nurse License Number 597421 issued to Jessica			
23	Bosarge, a.k.a. Jessica Sutton Bosarge, a.k.a. Jessica Edwina Bosarge;			
24	2. Ordering respondent to pay the Board the reasonable costs of the investigation and			
25	enforcement of this case pursuant to Business and Professions Code section 125.3; and			
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1	3. Taking such other and further action as deemed necessary and proper.
2	DATED March 14 2013 Amy Brown
3	LOUISE R. BAILEY, M.Ed., R.N. Executive Officer
4	Board of Registered Nursing
5	Department of Consumer Affairs State of California Complainant
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Accusation